MEDICAL ETHICS
PHILOSOPHY 336
Spring 2012

Instructor: J.S. Blumenthal-Barby, PhD
Assistant Professor, Center for Medical Ethics and Health Policy
Baylor College of Medicine
Class times: TR: 9.25am-10.40am.
Class Location: HUMANITIES 328
Office hours: By appointment.
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Course Description:
In this course we will examine ethical and philosophical issues that arise in health care. We will examine questions such as: If I let someone die when I could have aided him, am I as morally responsible for his death as I would have been had I actively killed him, by (say) injecting him with a poison? Should parents be permitted to refuse treatment for their children for religious reasons? How do we determine when someone is rational enough to make decisions about their health care? What makes us "persons"? If there is a point when one ceases to be a "person," are we obligated to keep him alive? Should alcoholics receive liver transplants? May we sell human organs on a free market?
In examining these questions, students will learn to think critically about difficult issues, learn to articulate and justify your position on these issues, learn to take seriously and assess the arguments of those who disagree with you, and learn to respectfully debate about such topics.

Required Texts:
- Coursepack (online on owlspace.rice.edu)

Grading:
Attendance, Participation = 30%
Two short papers = 30% (15% each)
Case presentation = 15%
Final Exam = 25%

Every component will be graded on a 100- point scale. After calculating the final score based on the above weight scale, a final grade will be assigned based on the following:

98-100: A+
94-97: A
91-93: A-
88-90: B+
84-87: B
81-83: B-
78-80: C+
74-77: C
71-73: C-
68-70: D+
64-67: D
61-63: D-
< or = 60: F

Assignments:
Attendance, Participation: Each day I ask you to come to class with a written out question or criticism about the assigned reading. I will collect these at the beginning of each class. This will show me that you are here, you did the reading, and you started to think critically about it. You can miss two classes/question/criticism turn-ins. After that it will start counting against your attendance/participation (unless provided with a doctor's note, coach's note, or funeral notice). No late turn-ins will be accepted.

√ = full credit (100%)
√- = partial credit (70%)
0= no credit (didn't turn in, or *really* lame)

Your question or criticism should refer to a specific part of the reading. You should be prepared to talk about your question/criticism a little bit to the class. Why did you think it was an important question? What were you thinking about that led to that question? If it is a criticism, how do you think that the author might respond to your criticism?

In addition to these question/criticisms, you should make an attempt to participate in class discussions. I am not measuring this in any objective way, but if you have a boarder line grade and have done a good job of participating in class discussions, this will work in your favor.

Short Papers: There are a total of 2 short papers. These are to be ~4-6 pages long. I will give you the assignment, but generally you will be asked to summarize one of the author's major claims (not summarize the whole article), give the author's reasons for that claim, and give your own evaluation of those reasons.

Case Presentation: You will form a group of 4 (we need 8 groups total) and together you will pick a case. You will act as an ethics consulting team and together come to a conclusion about how to handle the case. At the end of the semester you will present the case to the class and tell us how you handled it.
I will give you cases to choose from.
In our readings we are covering a narrow range of topics so that we can go into some depth. The cases that I give you to choose from will be a spectrum of cases other than those we have talked about or read. This way you get to learn about other areas of medical ethics that may interest you.

Final Exam: The final exam will consist of two essay questions. I will give you some essay questions ahead of time, and of those two will appear on the exam. The exam will be taken on Owlspace during the assigned time so you do not need to be physically present in Houston/Rice.

Late Assignments:
All work it to be turned in during class, the day that it is due. Late assignments will be deducted 10% for each day that they are late. Due dates are listed in the schedule. Note that no question/criticism turn-ins will be accepted late.

Schedule:

Week 1:
1/10- *Introduction, the Trolley Problem*

1/12- *Ethical Theories: Kantian Ethics and Utilitarian Ethics*
- "Kant's Ethics"
- "Utilitarianism" and "Difficulties with Utilitarianism"
- Video: Peter Singer on 60 Minutes (15 min)

Week 2:
1/17- *Tools for Arguments*
- "A Handout On Arguments"
- "Practice Exercises on Reconstructing and Evaluating Arguments"

1/19- *Active/Passive Euthanasia*
- Rachels, James. "Active and Passive Euthanasia"
- Callahan, Daniel. "Killing and Allowing To Die"

Week 3:
1/24- *The Right to Die—Right to Refuse Life Sustaining Treatment*
- "The Bouvia Case"
- "The Dax Cowart Case"

1/26- *The Right to Die—Right to Receive Lethal Prescription or Injection*
- Video: A Death of One's Own Part 1 + discussion
- **PAPER 1 ASSIGNED**

Week 4:
1/30- *The Right to Die—Right to Receive Lethal Prescription or Injection*
- Video: A Death of One's Own Part 2

2/2- *Decision Making Capacity*
- Buchanan, Allen and Brock, Dan. "Standards of Competence"
- "Fast Fact and Concept #055: Decision Making Capacity"
- "Assessing Decisional Capacity"
- "Determining Decision Making Capacity" 2 Cases

Week 5:
2/7- *Religious Refusals of Treatment*
- "Do Parents Harm Their Children When They Refuse Medical Treatment on Religious Grounds?"
- YES: American Academy of Pediatrics. "Religious Objections to Medical Care"
- NO: Sheldon, Mark. "Ethical Issues in the Forced Transfusion of Jehovah's Witness Children"

2/9- *Advance Directives*

- "Advance Directives Overview"
- Ryan, Christopher James. "Betting Your Life: An Argument Against Certain Advance Directives"
- Luttrell, Steven and Sommerville, Ann. "Limiting Risks by Curtailing Rights: A Response to Dr. Ryan"
- Minnesota Health Care Directive
- Texas Health Care Directive
- **PAPER 1 DUE**

Week 6:

2/14- *Advance Directives, Dementia, and Personal Identity*

- Buchanan, Allen. "Advance Directives And The Personal Identity Problem"

2/16- *Face Transplantation*

- Wiggins et al. "On the Ethics of Facial Transplantation Research"

Week 7:

2/21- *Reading Break*

- Video: 3 ethics consultations (45 min)
- **Case presentations assigned**

2/23- NO CLASS INSTRUCTOR AWAY AT CONFERENCE, BUT MEET TO WORK ON CASE PRESENTATIONS.

Week 8: Spring Break

Week 9:

3/6- *Organ Transplantation Decisions*

- "Selecting Recipients"
- Cohen et al. "Alcoholics and Liver Transplantation"
- **PAPER 2 ASSIGNED**

3/8- *Acquiring Organs/Procurement and A Market in Human Body Parts*

- Veatch, Robert. "Gift or Salvage: The Two Models of Organ Procurement"
- "Should There Be a Market in Body Parts?"
- YES: Radcliffe-Richards et al. "The Case for Allowing Kidney Sales"
- NO: Rothman, David. "The International Organ Traffic"

Week 10:

3/13-*Futility*

- Kasman, Deborah. "When Is Medical Treatment Futile? A Guide for Students, Residents, and Physicians"
- "Should Doctors Be Able to Refuse Demands for "Futile" Treatment?"
- YES: Miles, Steven. "Informed Demands for "Non-Beneficial" Medical Treatment"
- NO: Ackerman, Fred. "The Significance of a Wish"

3/15-*Personhood*

- Background Reading on PVS
- Fletcher, Joseph. "The Cognitive Criterion of Personhood"
- McMahan, Jeff. "The Cartesian Soul"
- **PAPER 2 DUE**

Week 11:
3/20-*Criteria for Death*

- "Standards of Brain Death"
- Benjamin, Martin "Pragmatism and the Definition of Death"
- "Practice Parameters: Determining Brain Death in Adults" from the American Academy of Neurology

3/22 NO CLASS MIDTERM RECESS

Week 12:
3/27- **GUEST CLINICIAN (JOE KASS M.D, J.D. Assistant Professor of Neurology Baylor College of Medicine, Chief of Neurology Service Ben Taub General Hospital)—DEATH AND STATES OF CONSCIOUSNESS DISCUSSION**

3/29-*Intersexuality*

- Dreger, Alice Domurat. "Ambiguous Sex or Ambivalent Medicine? Ethical Issues in the Treatment of Intersexuality"

Week 13:
4/3 – *Impaired Infants*

- Video "Better off Dead" (56 min) + discussion

4/5- *Case Presentations*

Week 14:
4/10- *Case Presentations*
4/12- *Case Presentations*

Week 15:
4/17- **GUEST CLINICIAN (Darrell Cass M.D., F.A.C.S., F.A.A.P. Texas Children's Fetal Center Co-Director and Fetal Surgeon)--MATERNAL FETAL MEDICINE DISSCUSSION**
4/19- *Case Presentations*

Week 16:
4/25-5/2 (exact date to be announced by Registrar) ***Final Exam***

Plagiarism: You are expected to know and follow Rice's policies on plagiarism and cheating. Don't do it!! If you plagiarize or cheat I reserve the right to fail you for the assignment or the course. As a guideline: do not copy text without using quotation marks and citing the author, do not paraphrase someone's writing without acknowledgement, do not use someone's ideas without acknowledgment, and work on your assignments alone!